

## **Chicago Tribune**

**Chairman Steve Buyer responds to April 18, editorial. (Link to original editorial at the end of letter.)**

**May 1, 2006**

**Voice of the People (Letters)**

### **Funeral protests**

This is regarding "Answering offensive protests" (Editorial, April 18). Contrary to your editorial's assertion that the Respect for America's Fallen Heroes Act would not pass muster with the U.S. Supreme Court, I am confident the court would uphold this law, if enacted. It would prohibit demonstrations within 500 feet of military funerals or memorial services at national cemeteries 60 minutes before and after these tributes to our gallant dead.

The rights of free speech and expression under the Constitution's 1st Amendment are not absolute. Many Supreme Court decisions interpret and explain the rights and their limits. The court's 1989 decision of *Ward vs. Rock Against Racism* found that the government may make reasonable restrictions on "the time, place or manner of protected speech," as long as those restrictions do not regulate the content of speech, are narrowly tailored to serve a significant government interest and leave open alternative channels for expression.

The Respect for America's Fallen Heroes Act meets these requirements.

The court's 1972 decision, *Grayned vs. City of Rockford*, upheld an anti-noise ordinance that prohibited activities adjacent to a school that "disturbs or tends to disturb the peace or good order of such school session or class thereof."

The proposed act's restrictions on "willfully making or assisting in the making of any noise or diversion that disturbs or tends to disturb the peace or good order of the funeral or memorial service or ceremony" closely track the language approved in *Grayned*.

In testimony submitted to a subcommittee of the House Committee on Veterans' Affairs, Cleveland State University law professor David F. Forte concluded that the act is well within constitutional limits.

The Respect for America's Fallen Heroes Act is carefully considered legislation that would help preserve the sanctity of military funerals and protect grieving families.

The bill has 143 co-sponsors and I look forward to Congress acting quickly to send it to the president for signature before Memorial Day.

*U.S. Rep. Steve Buyer*  
*(R-Ind.)*  
*Chairman*

*House Committee on Veterans' Affairs*  
*Washington*

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